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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/523,443	01/31/2005	Robert Lance Cook	25791.111.03	3853

62519 7590 01/03/2007  
HAYNES AND BOONE, LLP  
901 MAIN STREET  
SUITE 3100  
DALLAS, TX 75202-3789

EXAMINER
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BOMAR, THOMAS S

ART UNIT	PAPER NUMBER
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3672

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/03/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/523,443	COOK, ROBERT LANCE	
	<b>Examiner</b>	<b>Art Unit</b>	
	Shane Bomar	3672	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 January 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/21/05</u>   | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Specification*

1. The abstract of the disclosure is objected to because it simply repeats the title of the Application. Correction is required. See MPEP § 608.01(b).

### *Claim Objections*

2. Claims 2, 5, 8, 12, 15, and 18 are objected to because of the following informalities: in each of these claims the recitation of "and plastically the portion" should most likely be --and plastically deforming the portion--. Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over WO 99/35368 to Lohbeck et al in view of US 4,573,540 to Dellinger et al.

Lohbeck teaches a method and system of forming a wellbore casing within a borehole that traverses a subterranean formation, comprising: positioning a first wellbore casing 8 within and coupling the first wellbore casing to the borehole; positioning a second wellbore casing 9 within the borehole that overlaps with and is coupled to the first wellbore casing; extending the length of the borehole; and positioning a third wellbore casing 10 within the borehole that

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overlaps with and is coupled to the second wellbore casing (see Fig. 1 and pages 6-7). The method and system also includes radially expanding and plastically deforming the overlapping portions of the first and second wellbore casings, and radially expanding and plastically deforming the portion of the second wellbore casing that does not overlap with the first wellbore casing. The inside diameters of all the casing sections are equal and constant (see Fig. 1). However, it is not specifically taught that the method or system includes positioning a tubular liner within the borehole that overlaps with and is coupled to at least a portion of the second wellbore casing, or decoupling of the tubular liner from the second wellbore casing and removing the tubular liner from the borehole.

Dellinger et al teach a method and system of forming a wellbore casing 13 within a borehole, wherein a liner 31 is positioned within the borehole that overlaps with and is coupled to at least a portion of the casing (see the Figure and col. 4, lines 20-35). It is further taught that the liner is decoupled from the casing and removed from the borehole (see col. 4, lines 41-47). It would have been obvious to one of ordinary skill in the art, having the teachings of Lohbeck et al and Dellinger et al before him at the time the invention was made, to modify the method and system taught by Lohbeck et al to include the liner insertion and removal steps of Dellinger et al. One would have been motivated to make such a combination because the casing would be fully protected from the drill bit until the drilling is complete (see col. 4, lines 49-52 of Dellinger et al).

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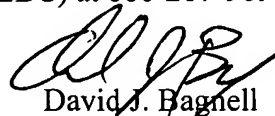
*Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bodine, Hooper et al, Martin et al, Hailey, Metcalfe et al, Maguire et al, and Vloedman et al teach various other methods and systems for installing and/or expanding casings and/or liners.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shane Bomar whose telephone number is 571-272-7026. The examiner can normally be reached on Monday - Thursday from 6:00am to 2:30pm. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bagnell can be reached on 571-272-6999. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



David J. Bagnell  
Supervisory Patent Examiner  
Art Unit 3672



tsb

December 21, 2006